

**CONSERVATION COMMISSION
REGULAR MEETING
REGULAR MEETING (via Teleconference)
Conducted via Zoom; Broadcast Live via Seekonk TV-9
December 20, 2021**

REGULAR MEETING

Present: K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan and Conservation Agent, J. Miller

7:00 p.m. Agent Miller opened the meeting of the Seekonk Conservation Commission and reviewed meeting protocols. She stated that the meeting will be broadcast live via TV9.

Public Hearing:

NOI #SE69-0943; 14 Cooper Rd (Map 21/Lot 352)

Proposed construction of a single- family home with associated grading within jurisdictional wetland resource areas.

Applicant: Malloch Construction

Representative: InSite Engineering

Chris Andrade, InSite Engineering represented the applicant. He summarized the project for construction of a single-family house with lawn area inside the jurisdictional areas. The LOD is along the split-rail fence and falls within the 200' Riverfront Buffer Zone. Calculations have been clarified; total tabulation is 1,136 sq. ft., which is 7.9% of the total allowed 10% disturbance for the entire Subdivision.

J. Sullivan asked if the fence issue across the lots has been resolved. Mr. Andrade responded that a Subdivision As-Built is being done with this hold-fast split-rail fence for the project. Additional straw wattles are proposed at the previous disturbance as well as on the westerly side of the fence. K. Kearney reiterated the importance of the placement of split-rail fencing to obtain grown behind them to absorb runoff properly. Agent Miller commented that to Mr. Sullivan's point, if adjustments to the physical fence need to be made, they would need to be made for each lot before permits are issued and moved forward. Placards are required as well. Timing for the moving of the incorrectly installed fence was discussed.

Joe Malloch, Malloch Construction asked if the Commission could issue permits now with a stipulation that no "certificate of occupancy" will be issued until the fence is correct. Agent Miller reviewed construction sequencing: MassDEP sign goes up, erosion controls are installed and checked by the Agent, the lot can be cleared, and then the fence goes in and is inspected by the Agent, and then general site work can commence. The reason for the sequencing is because of a recurring issue that in the past, lots have been cleared well past the limit of disturbance without the split-rail fence in place; and the homeowners thought they had a much larger yard. Years later, or when a property is up for sale, a COC is requested; and we already have an established yard going 25 feet past where it is supposed to.

K. Kearney made a motion to close the public hearing for #SE69-0943; 14 Cooper Rd, seconded by J. Sullivan.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

N. Socha made a motion to approve the plan under the Seekonk Wetlands Protection Bylaw, seconded by A. Petronio.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

A. Petronio made a motion to approve the plan under the MA Wetlands Protection Act, seconded by R. Emlen.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

There is a 10-day appeal period from the date of the issuance of the Order of Conditions.

NOI #SE69-0945; 18 Cooper Rd (Map 21/Lot 351)

Proposed construction of a single-family home with associated grading within jurisdictional wetland resource areas.

Applicant: Northeast Custom Homes

Representative: InSite Engineering

Chris Andrade, InSite Engineering represented the applicant. He summarized the project for construction of a 4-bedroom single-family house inside the jurisdictional areas with portions of the foundation, a retaining wall, and grading within the 200' Riverfront Buffer Zone as well as the 100' Buffer. We are proposing 1 area into the 50', and the straw wattle will be designated as the LOD and falls within the 200' Riverfront Buffer Zone. Total tabulation is 7,850 sq. ft., which is 54% of the total allowed 10% disturbance for the entire Subdivision.

K. Kearney commented that this project is very steep in the back, and it is important to protect the wetland to avoid any changes to it. The accuracy of the fence location is imperative for this project. It was discussed a boulder retaining wall will be located behind the house. The side yard will be narrow.

Agent Miller noted construction and grading will potentially commence during winter months, and no vegetation will be growing during that time, and suggested a modification for slope protection on the steep grades. Mr. Andrade replied jute net and staggered wattles could be used to mitigate any runoff. The Commission discussed conditioning jute netting for the project. It was noted that this lot has the most overall Riverfront Area in terms of how the lots are laid out for this subdivision.

K. Kearney made a motion to close the public hearing for #SE69-0945; 18 Cooper Rd, seconded by N. Socha.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

A. Petronio made a motion to approve the plan under the Seekonk Wetlands Protection Bylaw, seconded by N. Socha.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

A. Petronio made a motion to approve the plan under the MA Wetlands Protection Act, seconded by R. Emlen.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

There is a 10-day appeal period from the date of the issuance of the Order of Conditions.

NOI #SE69-0944; 22 Cooper Rd (Map 21/Lot 350)

Proposed construction of a single-family home with associated grading within jurisdictional wetland resource areas.

Applicant: Northeast Custom Homes

Representative: InSite Engineering

Chris Andrade, InSite Engineering represented the applicant. He summarized the project for construction of a 4-bedroom single-family house inside the jurisdictional areas with a small portion of the foundation, grading, and lawn area falling within the 200' Riverfront Buffer Zone. We are proposing the split-rail fence as the LOD with straw wattle proposed at the front of it. Total tabulation is 5,410 sq. ft., which is 37.5% of the total allowed 10% disturbance for the entire Subdivision. He stated there is a portion of the detention pond that falls within the same Riverfront Zone, but under Riverfront Protection Act it is an allowed use within the zone, and does not count towards the alteration totals.

Riverfront Area & Stormwater Structures: 310 CMR 10.58 (4)(d)1d does exempt stormwater structures from the calculations of the 10% development calculation.

Riverfront Area & 10% Development: Each lot doesn't have to stay below their 10% as long as the whole subdivision does.

Total Riverfront Area (in subdivision): 144,200 sf

10% New Development (in subdivision): 14,420 sf (max allowed over 4 lots)

It was discussed the same type of mitigation as for the 18 Cooper Rd NOI filing using jute netting to stabilize the slopes to avoid any change in the wetland.

A. Petronio made a motion to close the public hearing for # SE69-0944; 22 Cooper Rd, seconded by K. Kearney.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

A. Petronio made a motion to approve the plan under the Seekonk Wetlands Protection Bylaw, seconded by R. Emlen.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

N. Socha made a motion to approve the plan under the MA Wetlands Protection Act, seconded by J. Sullivan.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

There is a 10-day appeal period from the date of the issuance of the Order of Conditions.

Petronio made a motion to adjourn the meeting, seconded by J. Sullivan. The meeting was adjourned at 7:22 p.m.

Roll Call Vote: 5-0-0 K. Kearney, N. Socha, R. Emlen, A. Petronio, J. Sullivan – in favor.

Respectfully submitted,
Kim A. Lallier
Conservation Secretary

Formally accepted on 2/7/2022 4 in favor, 0 against, 1 abstention

[Full Video available to view on TV9 Seekonk Community Access Television](http://tv9seekonk.com/)

Link: <http://tv9seekonk.com/>